



By mail, By email, and By hand

November 21, 2021

Hon Judge Laura Taylor Swain  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

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U.S. DISTRICT COURT  
SANDY HOOK, N.J.

RE: Petition to extend the period to approve Puerto Rico Financial Adjustment Plan proposed by the Financial Oversight Management Board of Puerto Rico

PROMESA Title III 17- BK 3283-LTS

Honorable Judge Laura Taylor Swain:

### **Who are we and why are writing an open letter**

We are productive and committed faculty of the University of Puerto Rico (UPR) at different stages in our careers and members of the **Alianza para la Ciencia en la UPR (Alliance for Science in the UPR)**, a group of scientists and professionals committed to working in collaboration with the US Congress, Chief Justice Taylor Swain, Puerto Rican government authorities, the Financial Oversight & Management Board for Puerto Rico and University officials, on behalf of creating a resilient, robust and accessible public higher education system in STEM for Puerto Rico. *Unfortunately, our many attempts to present our concerns in the November 9th hearings through the court's public website were unsuccessful.*

We are in the process of compiling a list of how academic and research programs across the UPR system have been undermined by the current UPR budget already imposed by FOMB. *We respectfully request an extension of the period to receive arguments associated with the proposed Fiscal Adjustment Plan (FAP) for Puerto Rico under PROMESA and include UPR's scientific workforce in the discussions.*

### **PROMESA and its promise**

In 2016, Congress enacted the "Puerto Rico Oversight, Management, and Economic Stability Act" (hereafter PROMESA) to implement a process of economic recovery for Puerto Rico. The Act establishes a Financial Oversight and Management Board for Puerto Rico (hereafter FOMB), composed of seven members appointed by the President of the United States and one ex officio member designated by the Governor of Puerto Rico. The FOMB is tasked with working with the people and government of Puerto Rico to create the necessary foundation for economic growth and to restore opportunity to the people of Puerto Rico. PROMESA mandates (Sec. 201) that the FOMB must provide the Governor of the territory with a schedule for developing certified fiscal plans for at least five years. Among other requirements, *the fiscal plans (Sec.201.b) must ensure*

*the funding of essential public services and provide for capital expenditures and investments necessary to promote economic growth.*<sup>1</sup>

### **UPR's research and its role in diversifying the US STEM workforce**

The UPR is the top baccalaureate US institution of Hispanic or Latino science and engineering doctorate recipients, the top baccalaureate US institution of Hispanic or Latino female doctorate recipients, and the top baccalaureate institution of Hispanic or Latino female engineering doctorate recipients (See Appendices A, B, and C). As such, *the UPR plays an important and leading role in the diversification of the science and engineering skilled workforce in the United States and Puerto Rico and reduces the ethnicity and gender gaps in the US STEM workforce. Research training of the current and future Hispanic PhD workforce is an essential service provided by UPR to the US and Puerto Rico that should be protected under PROMESA. The continued budget decline to UPR jeopardizes this essential service and should be of utmost concern for advocates for Hispanics access to higher education in Science, Technology, Engineering, and Mathematics (STEM) not only in Puerto Rico, but also in the United States.*

### **The UPR's role in PR's economic development**

An unquestionable premise is that the economic growth and capacity of a country must be accompanied by adequate investments in Research and Development<sup>2,3,4</sup>. The University of Puerto Rico system (UPR) is responsible for 80% of the Research and Development (R&D) investment in Puerto Rico<sup>5</sup>. UPR is the unquestionable leader in STEM scholarly production on the island outperforming by far all higher education institutions on the island<sup>6</sup>. UPR is a major motor of local economic activity according to recent studies<sup>7,8</sup>. Its scientific, cultural, and economic contributions are greatly appreciated by most Puerto Ricans inside and outside of the island<sup>9</sup>. We are highly concerned that the fiscal crisis caused by the harsh budget cuts and unprecedented austerity measures imposed by the FOMB on the UPR will eliminate Puerto

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<sup>1</sup> <https://www.congress.gov/bill/114th-congress/senate-bill/2328>

<sup>2</sup> Public University, Investment, and Development,

<https://grupocne.org/2021/08/16/public-university-investment-and-development/>

<sup>3</sup> Ten ways STEM strengthens the economy,

[https://www.jec.senate.gov/public/\\_cache/files/2061de0c-be23-4cfl-ad0b-270d3f6c661e/stem-top-10-12.4-final-1-pager.pdf](https://www.jec.senate.gov/public/_cache/files/2061de0c-be23-4cfl-ad0b-270d3f6c661e/stem-top-10-12.4-final-1-pager.pdf)

<sup>4</sup> Federal Research and Development Fuels Our Economic Growth, National Capabilities, and Societal Progress

<https://budget.house.gov/publications/report/federal-research-and-development-fuels-our-economic-growth-national-capabilities>

<sup>5</sup> UPR's role in economic development in Puerto Rico: Research and Development,

<https://grupocne.org/2021/08/16/uprs-role-in-economic-development-in-puerto-rico-research-and-development/>

<sup>6</sup> Ranking of scientists in Puerto Rico Institutions according to their Google Scholar Citations public profiles

<https://www.webometrics.info/en/node/94>

<sup>7</sup> Socioeconomic Report of the Northwestern Area of Puerto Rico,

<http://aaipr.upr.edu/wp-content/uploads/2017/02/IAAPR-Socioeconomic-Report-rev-July-16-2017.pdf>

<sup>8</sup> El impacto Socioeconómico del Sistema de la Universidad de Puerto Rico,

<http://www.estudiostecnicos.com/pdf/ocasionalpapers/2017/OP-No-7-2017.pdf>

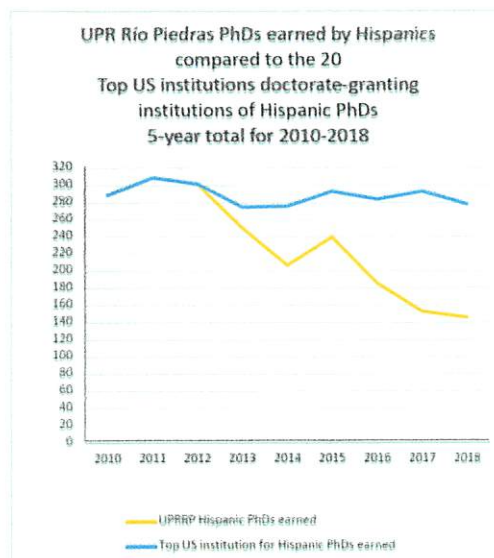
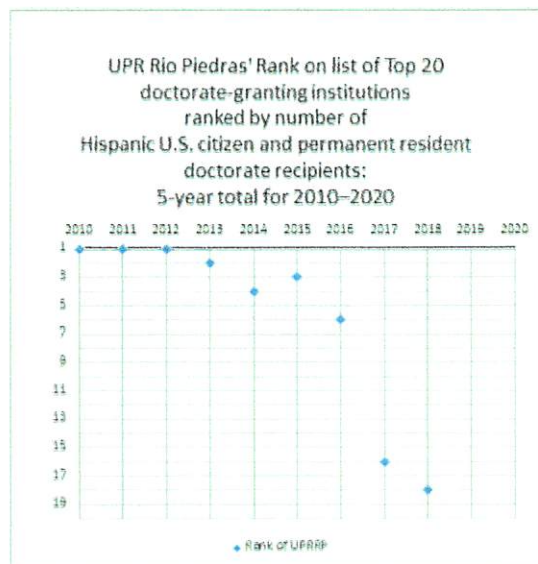
<sup>9</sup> Funding the University of Puerto Rico is a Must for Puerto Rico's Recovery,

<https://protestamos.net/2019/03/12/funding-the-university-of-puerto-rico-is-a-must-for-puerto-ricos-recovery/>

Rico's current and future capacity for Research and Development, and as a result, its potential for future economic growth and stability.

### PROMESA is not meeting its promise to Puerto Ricans

Since 2017, the draconian budget cuts and austerity measures imposed by FOMB and enforced by the UPR's Governing Board have jeopardized the inclusive scientific environment and science training the UPR provides for the Hispanic US citizens and permanent residents in the US and PR. Science colleges across the UPR system are currently in an unsustainable and demoralizing state of precariousness and fatigue that hinders their operation for the development of STEM in Puerto Rico, placing in great peril our capacity for being an engine of economic development and research, and a producer of scientists of excellence for the US and Puerto Rico. This fact is most evident in the dramatic reduction of doctorate recipients since 2016 at the University of Puerto Rico Río Piedras (UPRRP) seen in Figures 1a and 1b.



Figures 1a & 1b : These figures are based on data from Table 9 of NSF|NCSES Survey of Earned Doctorates from 2010-2020.<sup>10</sup>

<sup>10</sup> <https://www.nsf.gov/statistics/srvydoctorates/#tabs-2>

***The UPRRP was the top-ranking doctorate-granting institution in the US in the number of Hispanic US citizen and permanent resident doctorate recipients from 2010-2012 and managed to stay in the top 6 until 2016. The significant decline in 2017 and 2018 may have been due to Hurricane Maria. However, the FOMB's severe budget cut recommendations, in addition to the lack of relief funds arriving from the US, created the undesired circumstances that caused the steep decline in Hispanic doctorate recipients since 2016 and culminated in the UPRRP falling from the rankings of the Top 20 in 2019.***

The UPRRP is the only doctorate-granting university in Puerto Rico that has made the list. Figure 1b contains only data from 2010-2018 due to the fact that UPRRP fell from the list in 2019 and 2020, three years after the austerity measures began cutting the budget of the UPRRP in 2017 by approximately 50%. The precipitous and unprecedented budget cuts experienced by the UPR system occurred parallel to extreme social and ecological events which include, but are not limited to, Hurricanes Irma and Maria in 2017, the 2020 earthquakes, the local energy crisis, the administrative turnovers caused by the resignation of a governor and an ongoing COVID-19 pandemic. It is impossible for any organization to prepare, adjust and let alone react and recover from sudden and severe budget cuts under such conditions. The UPR has been set up to fail and it is too important to fail.

We are highly concerned about the Financial Adjustment Plan (FAP) and the associated budget decisions taken by the FOMB. ***The proposed FAP directly affects Puerto Rico's capacity for economic stability and growth which goes against what was presented to Puerto Ricans under the PROMESA ACT of 2016.*** Title II of PROMESA Act describes the responsibilities of the FOMB and dictates that the fiscal plan must: a) "ensure the funding of essential public services," b) "provide for capital expenditures and investments necessary to promote economic growth," c) "provide for a debt burden that is sustainable in years in which a stay under this bill is not in effect." ***This FAP does not meet these PROMESA criteria.***

## **The Future of Puerto Rico in your hands**

Puerto Rico's current and future capacity for Research and Development is in jeopardy, which will undermine its potential for economic growth and stability. Moreover, it will annihilate Puerto Rico's most important social project - that allows millions of Puerto Ricans to obtain a college education, earn decent wages and work in prestigious organizations in the private and public sectors. The University of Puerto Rico and its science workforce have immense economic and social value to the United States. ***The intended budget proposed for the University of Puerto Rico system will effectively kill what has been a highly effective mechanism for closing the diversity gap in the Science, Engineering, Technology, and Mathematics (STEM) workforce in the United States.***

For the reasons mentioned, it is clear that the current and established budget for UPR in the proposed FAP submitted by FOMB ***does not meet the PROMESA mandate*** to protect its essential services, promote economic growth and stability, and provide for a debt burden that is sustainable in the years after PROMESA is not in effect. The capacity for research and

development at UPR will irreparably collapse with the current implementation of the FAP submitted by FOMB and PROMESA in the University of Puerto Rico. *PROMESA is a promise to build towards economic recovery, durability, and vitality. Let us make this a reality.*

**Alianza para la Ciencia en la UPR**

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